

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Peter Rickmyer, Pro-se

Plaintiff,

vs.

Case No. 13cv1161 JRT/SER

13 MAY 15 PM 2:06  
CLERK, U.S. DIST. COURT  
MINNEAPOLIS, MN

RECEIVED

(To be assigned by Clerk  
of District Court)

Troy Walker and

Bruce Johnson

Defendant

DEMAND FOR JURY  
TRIAL

NO

(Enter the full name(s) of ALL  
plaintiffs and defendants in this  
lawsuit. Please attach additional  
sheets if necessary.)

**COMPLAINT**

**PARTIES**

1. List your name, address and telephone number. Do the same for any additional plaintiffs.

a. Plaintiff

Name Peter Rickmyer

Street Address 2118 25<sup>th</sup> Avenue North

County, City Hennepin, Minneapolis

State & Zip Code Minnesota 55411

Telephone Number 612-516-2853



2. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption.

a. Defendant No. 1

Name                    Troy Walker  
Street Address        350 South 5<sup>th</sup> Street  
County, City         Hennepin, Minneapolis  
State & Zip Code     Minnesota 55415

b. Defendant No. 2

Name                    Bruce Johnson  
Street Address        350 South 5<sup>th</sup> Street  
County, City          Hennepin, Minneapolis  
State & Zip Code     Minnesota 55415

## JURISDICTION

3. What is the basis for federal court jurisdiction? (check all that apply)

Federal Question       Diversity of Citizenship

4. If the basis for jurisdiction is Federal Question, which Federal Constitutional, statutory or treaty right is at issue? List all that apply.

Pursuant to 28 U.S.C.A. § 1331, this Court has jurisdiction over this matter, which arises in part under the laws of the United States including 42 U.S.C.A. §§ 1983, 1985, 1988 and Prohibition against retaliation and coercion of Americans Disabilities Act of 1990 42 U.S.C.A. §12203.

This Court has the authority to take jurisdiction over all other claims, as supplemental

jurisdiction.

5. What is the basis for venue in the District of Minnesota? (check all that apply)

Defendant(s) reside in Minnesota     Facts alleged below primarily occurred in Minnesota

### **STATEMENT OF THE CLAIM**

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Each paragraph must be numbered separately, beginning with number 6. Please write each single set of circumstances in a separately numbered paragraph.

6. I am person with disabilities which interferes with my communication.

7. Minneapolis Police Officer Troy Walker ("Walker") and Minneapolis Police Officer Bruce Johnson ("Johnson") as individuals working off duty as security at 7<sup>th</sup> street garage on May 14, 2013 trespassed me from A, B, and C ramps for no legitimate reason.

8. Walker yelled at me saying I was trespassed and as I stopped and started to exit the way I entered Johnson lightly pushed me which changed my body's position, the trespassing of me was for retaliation purposes due to how I *communicate*.

9. I use the 7<sup>th</sup> Street garage when I catch the number 5, 9 and 19 buses to enter the skyway.

10. I use the 5<sup>th</sup> Street garage when I catch the number 14 bus to downtown from north Minneapolis to enter the skyway.

11. I use the 5<sup>th</sup> Street garage to catch the number 16, 50 and 94 buses.

12. Walker and Johnson or other officers have attempted to trespass me approximately four times in the past from 5<sup>th</sup> and 7<sup>th</sup> Street garages and skyway which connects, not for any legitimate reason but for retaliation purposes.

13. Johnson driving a squad car and Walker as the passenger on March 24, 2013 came to my house, I commented to Walker it was nice to see him working in the squad instead of the 5<sup>th</sup> and 7<sup>th</sup> street garages, Walker became enraged and started ranting and raving, I left and proceeded to go south bound on Willow for approximately 50 feet.

14. Johnson then drove north on Penn stopping at 2510 Penn Avenue North for a short period, I believe took a illegal u-turn and stopped on the west side of Penn Avenue North at Willow and then Walker got on the police cars PA system and publicly vilified and humiliated me for purpose of retaliation.

**COUNT 1**  
**Violation of 42 U.S.C.A. §§§§ 1983, 1985, 1988 and 12203**

15. Plaintiff Peter Rickmyer re-alleges all facts in this complaint as if fully set forth herein.

This claim arises under title 42 of the United States Code (Civil Rights Act of 1964, as amended), including but not limited to §§§§ 1983, 1985, 1988 and 12203.

16. Defendants acted alone and or together (two or more in concert) to violate my rights.  
17. Defendants deprived Plaintiff Peter Rickmyer of his rights, privileges, and immunities secured by the United States Constitution, in conjunction with other rights, including but not limited to the following clearly established rights:

- a. **First Amendment retaliation** (against all defendants).
- b. **Fifth Amendment**
- c. **Eighth Amendment**
- d. **Fourteenth Amendment**

18. Defendants (and each of them) knew they were violating the federal law and constitutional rights of Plaintiff and or acted with deliberate indifference to the rights of

Plaintiff as noted above. The Defendants acted under color of law of a statue, ordinance, regulation, resolution, policy, custom or usage when they deprived Plaintiff of my constitutional rights, privileges, and immunities, and the defendants acted in concert with each other to effectuate a common scheme or plan to violate my constitutional right to freedom of speech or expression, association, liberty free from cruel and unusual punishment, due process.

19. As a direct and proximate result of the Defendants conduct, inaction, policy or customs as set forth in more detail above, I suffered the deprivation of my constitutional and or federal statutory rights and suffered damages including due process, cruel and unusual punishment , liberty, association, freedom of speech and expression.

20. By reason of the foregoing, I was damaged, the damage was proximatlly caused by defendants, and I am entitled to Temporary Restraining Order, Restraining Order or injunction against each defendant, and jointly and severally.

#### REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

1. **No** monetary compensation.
2. Issue a Temporary Restraining Order or Injunction.
3. Issue a Permanent Restraining Order or injunction prohibiting Johnson and Walker from retaliating against me

Date: 5/15/2023

  
Signature of Plaintiff, Peter Rickmyer  
2118 25<sup>th</sup> Avenue North  
Minneapolis, Minnesota 55411  
612-516-2853